

**VILLAGE OF SCHAUMBURG  
VILLAGE BOARD MINUTES  
TUESDAY, FEBRUARY 10, 2009  
PARKER HALL**

**MINUTES**

**CALL TO ORDER:** 8:00 PM

**ROLL CALL:** Trustees: Curcio, Connelly, Dailly, Dunham, Sullivan, Madej present  
President Larson present

**STAFF PRESENT:** K. Fritz – Village Manager  
J. Siegel - Village Attorney  
D. Ellsworth – Director of Finance  
D. Schumann – Fire Chief  
R. Casler – Director of Police  
R. Williams – Chairman/Zoning Board of Appeals  
F. Kozak – Chairman/Plan Commission  
J. Clar – Zoning Board of Appeals  
C. Huff – Director/Community Development  
S. Weinstock – Director Engineering and Public Works  
R. Bascomb – Senior Transportation Planner  
T. Kosin – Plan Commission

**PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Trustee Dailly.

**APPROVAL OF MINUTES:**

Trustee Dunham made a motion to approve the January 27, 2009 Village Board Minutes and Trustee Madej seconded the motion. Voice vote – 6-0. Motion carried unanimously.

**APPROVAL OF EXPENDITURES:**

\$2,832,256.23 – Trustee Dailly made a motion to approve the expenditures as presented and Trustee Sullivan seconded the motion. Roll call – Trustee Curcio, Connelly, Dailly, Dunham, Sullivan, Madej voted aye. No Trustee voted nay. Motion carried unanimously.

**LIQUOR LICENSE REQUESTS:**

1. Request from Robert Leonardis for a Class A liquor license for McCullough's Pub and Billiards, LLC (formerly Diamond's Billiards) located at 321 S. Roselle Road (New Owner). Robert Leonardis came forward to answer any questions the board may have. There were no objections and President Larson explained the process to apply for the liquor license.
2. Request from Ashok Patel for a Class B liquor license for Vini's Discount located at 1119 N. Salem Drive (New License). Ashok Patel came forward to answer any questions the board may have. There were no objections and President Larson explained the process to apply for the liquor license.

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3. Request from Kyoung Ran Lee for a Class E liquor license for Sushiya Restaurant located at 261 S. Roselle Road (New License). Joe Lee came forward to answer any questions the board may have. There were no objections and President Larson explained the process to apply for the liquor license.
4. Request from Sue Swanson for a Class E liquor license for 7-Eleven located at 801 E. Schaumburg Road (New Owner). Tony Diaz came forward to answer any questions the board may have. There were no objections and President Larson explained the process to apply for the liquor license.

**CONSENT AGENDA:**

President Larson stated you have attached to the Regular Agenda a Consent Agenda which will take one motion from the Village Board to approve all the items on the Consent Agenda. If anyone has a question or concern about an item wait until I get to that point in the Consent Agenda and indicate that to me and we will take that item from the Consent Agenda and discuss it under Committee Reports.

**I. CORRESPONDENCE**

- A. Request from Hoffman/Schaumburg Knights of Columbus to hold a raffle on March 14, 2009 at St. Matthew's Hughes Center.
- B. Request from You Can Make it, Inc. to fundraise March 20 & 21, 2009 and April 17 & 18, 2009 from 8:00 a.m. – 6:00 p.m. at the intersections of Algonquin and Meacham Roads (excluding southeast corner), Algonquin Road and Route 53 (west ramps), Golf and Basswood Roads, Golf Road and Salem Drive, Schaumburg and Meacham Roads, Mall Drive and Woodfield Road, Martingale Road and Corporate Crossing, Roselle Road and Valley Lake Drive, Schaumburg and Barrington Roads, and Schaumburg and Roselle Roads.

**II. PROCLAMATION**

- A. National Athletic Training Month – March 2009

**III. LIQUOR LICENSES**

- A. Request from St. Marcelline Catholic Church for two One Day liquor licenses for a Celebration of their newly Renovated Kitchen in Diemer Hall located at 820 Springinsguth Road on February 21, 2009 after mass from 6:00 p.m. for approximately 2 hours and on February 22, 2009 after the 7:30 a.m., 9:00 a.m., and 11:00 a.m. masses for approximately 2 hours (Request to waive fee).

**IV. TRANSPORTATION COMMITTEE**

- A. EDEN DRIVE FROM A YIELD TO A STOP SIGN AT CHURCHILL ROAD – [motion] to recommend to the Village Board to amend Title 7, Chapter 74, Schedule V. Yield Intersections and Title 7, Chapter 74, Schedule I. Two Way Stop Intersections, of the Schaumburg Municipal Code.

- B. PILOT PETE'S SALE AND LEASE FOR NEW OWNER – [motion] to recommend to the Village Board to approve a resolution authorizing the Village President to sign a lease for the rental of the restaurant, including office space in Room 210 at the Schaumburg Regional Airport to John Menginas, who will be doing business as Pilot Pete's II Inc.

**V. PLANNING, BUILDING & DEVELOPMENT COMMITTEE**

- A. EXTENSION OF SPECIAL USE FOR THE OLDE SCHAUMBURG CENTRE FARMERS MARKET FOR THE 2009 SEASON – [motion] to recommend to the Village Board to approve an extension of the special use granted under Ordinance No. 90-62 for the Olde Schaumburg Centre Farmers Market for the 2009 market season and an extended market season if a minimum of twelve (12) booth spaces are sold prior to September 25, 2009.
- B. CHANGES TO THE MUNICIPAL CODE REGARDING SWIMMING POOLS, SPAS AND HOT TUBS AND ADOPTION OF APPENDIX G OF THE 2006 INTERNATIONAL RESIDENTIAL CODE – [motion] to recommend to the Village Board approval of an amendment to Chapter 153 of the Municipal Code, the addition of Appendix "G" of the 2006 International Residential Code and elimination of unnecessary sections of Chapter 100 of the Schaumburg Municipal Code as well as refer amendments to Chapters 102 and 154 of the Municipal Code pertaining to swimming pools to the Zoning Board of Appeals for a public hearing.
- C. AMENDMENT TO TITLE 15, CHAPTER 151, SECTION 151.17 (C) OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE – [motion] to recommend to the Village Board to approve the proposed amendments to Title 15, Chapter 151, Section 151.17 (C) of the Subdivision and Land Development Ordinance along with the appropriate ordinance.
- D. HISTORIC BUILDINGS RESTORATION GRANT PROGRAM – FENZ HOUSE COACH HOUSE – [motion] to recommend to the Village Board to approve the cost estimate for repair and replacement work at the Fenz Coach House, located at 14 E. Schaumburg Road, with a reimbursement payout not to exceed \$50,000 from HBRGP.
- E. REVISION TO THE MUNICIPAL CODE, TITLE 15, CHAPTER 153, RECYCLING OF CONSTRUCTION AND DEMOLITION WASTE – [motion] to recommend to the Village Board to adopt the amendment to the Municipal Code to require the recycling of construction and demolition materials.
- F. HISTORIC BUILDINGS RESTORATION GRANT PROGRAM – PANZER HOUSE – [motion] to recommend to the Village Board to ratify requisition number R20904273 for a total of \$24,626.00 to Protective Roof Services and approve the expenditure of Olde Schaumburg Centre Tax Increment Finance District funds for emergency stabilization repairs for the Panzer House, located at 133 E. Schaumburg Road, for \$56,394.00.
- G. AMENDMENT TO THE MUNICIPAL CODE – POSTING OF BUSINESS NAMES ON BUILDING EXTERIORS – [motion] to recommend to the Village Board to **deny** the proposed amendment to the Municipal Code.

**VI. AWARD OF BID**

- A. PARKWAY RESTORATION CONTRACT – [motion] to recommend to the Village Board to award the bid for Parkway Restoration to the low bidder, Copenhagen Construction, Inc. of Gilberts, Illinois, at the unit prices indicated on their base bid, and authorize issuance of a purchase order in a total amount not to exceed the approved FY 09/10 budget for parkway restoration.

**VII. RESOLUTIONS**

- A. Resolution No.   R-09-006   A Resolution Authorizing the Village President to Execute an Agreement By and Between the Village of Schaumburg and Pilot Pete's II, Inc. for the Airport Restaurant Lease at the Schaumburg Regional Airport.
- B. Resolution No.   R-09-007   A Resolution Authorizing Expenditures from the Historic Buildings Restoration Grant Program of the Olde Schaumburg Centre Tax Increment Financing District to the Fenz House Coach House for Repair and Replacement Work.
- C. Resolution No.   R-09-008   A Resolution Authorizing Expenditures from the Olde Schaumburg Centre Tax Increment Financing District to the Panzer House for Installation of Electrical Service, Roof Work, Excavation Work, and Masonry Work.

**VIII. ORDINANCES**

- A. Ordinance No.   09-010   An Ordinance Amending the Village of Schaumburg Code of Ordinances/Amending Title 7, Chapter 74, Schedule V. Yield Intersections and Amending Title 7, Chapter 74, Schedule I. Two Way Stop Intersections [first reading – motion to waive first reading].
- B. Ordinance No.   09-011   An Ordinance Granting a One Year Extension of Special Use Approval Granted Under Ordinance No. 90-62 for Village of Schaumburg Farmers Market (Case Z9003-07) [first reading – motion to waive first reading].
- C. Ordinance No.   09-012   An Ordinance Amending Title 9, Chapter 100 – Swimming Pools and Spas, Title 15, Chapter 153 – Building Code, Pertaining to Swimming Pools and Spas [first reading – motion to waive first reading].
- D. Ordinance No.   09-013   An Ordinance Amending Title 15, Chapter 151, Section 151.17 – Subdivision and Land Development Ordinance Regarding Permit Fees, Subdivision Improvement Security, Escrow Monies, Project Acceptance and Approval [first reading – motion to waive first reading].
- E. Ordinance No.   09-014   An Ordinance Amending Title 15, Chapter 153 – Building Code – Recycling of Construction Debris [first reading – motion to waive first reading].

Trustee Curcio made a motion to approve the Consent Agenda and Trustee Sullivan seconded the motion. Trustee Curcio, Connelly, Dailly, Dunham, Sullivan, Madej voted aye. No Trustee voted nay. Motion carried unanimously.

**COMMITTEE REPORTS:**

No committee reports.

**COMMENTS FROM THE AUDIENCE:**

1. Kim Waltman, business owner of Curves came forward with a request to understand advertising signs. In July of 2007 when she purchased Curves she was allowed to have a sign on the corner of Schaumburg Road and Plum Grove Road advertising her new business. It seems there is nothing available to her at this time to able her to get her business out.

President Larson mentioned the Village sign code allowing provisions for temporary signage for certain periods of time.

Ms. Waltman stated she was not aware of that.

President Larson suggested that Ms. Waltman contact Mr. Huff in the Community Development Department.

2. Linda Peppenbrink of Hoffman Estates came forward to discuss the traffic ticket that she received by mail from the intersection of Meacham and Woodfield Roads. She thinks the \$100 fine is excessive for turning right at a red light, there were cars turning left and there was no oncoming traffic. She was asking for some counsel on what to do other than just pay it.

Mr. Fritz stated that on the ticket there was a place to write an appeal or go to an administrative adjudication hearing where you can present any information you want but they will have that video at the hearing.

Ms. Peppenbrink asked who sets the \$100 fine. Is there a way to change it?

Mr. Fritz stated it is set by ordinance.

President Larson stated it could not be changed retroactively.

Trustee Sullivan stated that if a police officer had issued a citation you would have to go to court in Rolling Meadows, probably take a day off work and the fine is about \$240.

President Larson stated that something could be done in the future but not retroactive.

Attorney Siegel stated that has been established by ordinance and that particular program has been approved and is fairly wide spread, it isn't just Schaumburg. Several years ago the legislature adopted a statute specifically to allow that type of operation.

Ms. Peppenbrink asked if a green arrow could be added.

President Larson stated that is something that is being considered. You are not the first one who has said something.

3. Brian Costin came forward requesting in the future the board packets be put on line prior to Village Board meeting. He requested by FOIA the last 6 Village Board packets at a cost of \$160.66. He intends to make PDF copies of these documents and post them on his web site.

Mr. Fritz stated that in the last response the Freedom of Information Officer sent she made it clear that was something we were working on. It was in the email that she sent to you. The village is in the process of working on a new web site and there are some things that we will possibly be able to do with that transition that we can't easily do now. That is one of those things we are trying to accomplish.

**COUNSEL REPORT:**

Mr. Siegel had an item to report.

1. Mr. Siegel stated that last Friday a motion had been filed for summary judgment in the McLaughlin case supported largely by statements from a number of village people who are involved and were very helpful. It was filed last Friday; they have approximately 30 days to respond.

**PRESIDENT'S REPORT:**

President Larson had several items to report.

1. A note received by Bill Blanchard, Traffic Analyst from Betsy Kateyiannis expressing her thanks for letting her park her vehicle at the Metra Station.
2. A note received by President Larson, Board of Trustees, Village Clerk and Village Manager from Michael Ehrhardt expressing thanks for the floral spray that was sent for his Mother's funeral.
3. A letter received by Steve Weinstock, Director of Engineering and Public Works from Jennifer Casey expressing her gratitude for the incredible work and professionalism of the Public Works and Engineering Department.
4. Thank you letters for items donated to the Loan Closet from President Larson and Cynthia McCune, Nursing Supervisor thanking the following for their donations to the Loan Closet.

Mr. Robert Askren	Schaumburg	Ms. Emily Brown	Streamwood
Ms. Nancy Ferris	Schaumburg	Ms. Patricia Ivsac	Schaumburg
Mr. Carl Gallo	Schaumburg	Ms. Mary O'Toole	Hoffman Estates
Mr. George Palicki	Schaumburg		

**MANAGER'S REPORT:**

Mr. Fritz replied to a question from the last board meeting regarding the Treasurer's Report. Mr. Fritz explained the reasons for the increase in the number of employee salaries over \$100,000 in fiscal 2008. The increase was from 42 in 2007 to 110 in 2008. Gross wages means salary, over time, special detail pay which we get reimbursed for by other entities, mileage, travel reimbursements, tool and clothing allowances which are provided by contract, retro pay, tuition reimbursement and retirement payouts of accrued time. There were two union settlements in fiscal 2008 that were worth 1.2 million dollars that were booked and paid out in 2008 but were actually from contract years 2006 and 2007. There was a payroll computer system conversion in 2008 and due to the fact that there were concurrent payrolls going in order to provide accuracy; the Treasurer's Report picked up one extra payroll. The 2008 numbers are overstated by 17 people being on the list that should not have been on the list, so there were only 93. About 85% of that group (79 out of 93) is from Police, Fire and Public Works.

**NEW BUSINESS:**

No new business.

**UNFINISHED BUSINESS:**

No unfinished business.

**TRUSTEE COMMENTS/MENTIONS:**

No Trustee comments/mentions.

**ADJOURNMENT:**

Trustee Dailly made a motion to adjourn the Village Board meeting at 8:31 PM and Trustee Madej seconded the motion. Voice vote – 6-0. Motion carried unanimously.

  
Marilyn J. Karr  
Village Clerk

  
Date Approved